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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/017,329	02/02/1998	RYUICHI MATSUKURA	1083.1049/JD	8159

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EXAMINER

CARDONE, JASON D

ART UNIT	PAPER NUMBER
2152	17

DATE MAILED: 01/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. <b>09/017,329</b>	Applicant(s) <b>Matsukura</b>
Examiner <b>Jason D. Cardone</b>	Art Unit <b>2152</b>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Oct 29, 2001

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 1-21 is/are pending in the application.

4a) Of the above, claim(s) 12-15 is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-11 and 16-21 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on Feb 2, 1998 is/are objected to by the Examiner.

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)  All b)  Some\* c)  None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

15)  Notice of References Cited (PTO-892) 18)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 19)  Notice of Informal Patent Application (PTO-152)

17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 20)  Other: \_\_\_\_\_

*See Attached Office Action*

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## **DETAILED ACTION**

1. This action is responsive to the amendment of the applicants (Paper No. 17) filed on 10/29/01. Claims 1-21 are presented.
2. This application contains claims 12-15 are drawn to an invention nonelected with traverse in Paper No. 7. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CAR 1.144) See MPEP § 821.01. Claims 1-11 and 16-21 are presented for further examination.
3. The drawings are objected to because in figure 1, "client" is misspelled. Correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1-11 and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simmonds et al. "Simmonds", U.S. Patent No. 5,893,116, in view of Deinhart et al. "Deinhart", U.S. Patent No. 5,911,143.

6. Regarding claim 1, Simmonds discloses a computer network system in which plural connecting means capable of connecting and disconnecting a computer is provided in a network

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circuit to which a first computer has been connected, and a second computer is connected to one of the connecting means [ie. mobile computers connected/disconnected to a network, Simmonds, col. 2, lines 37-48, col. 3, lines 1-52, and col. 6, lines 39-65], wherein

the first computer comprises resource information managing means for managing information relating to resources, including the position of the resources, which are usable through the network circuit, and resource information processing means for taking out the content of the resource information managing means in response to a request of information relating to usable resources from another computer, and transmitting to the network circuit [ie. replicated usable resources that are managed (RSE) for the request of information from a computer (mobile), Simmonds, col. 3, lines 1-20, col. 5, lines 1-16, col. 6, line 57 - col. 7, line 34];

the second computer comprises resource setting means for setting the resource according to the content of the resource information transmitted by the resource information processing means of the first computer, and [ie. selecting and modifying a resource, Simmonds, col. 8, lines 6-37, col. 10, line 64 - col. 11, line 38, and col. 14, lines 21-65];

when the second computer is connected to the network circuit through any one of the plural connecting means, the resource setting means receives the content of the resource information transmitted by the resource information processing means of the first computer and sets the resource [Simmonds, col. 8, lines 6-37, col. 10, line 64 - col. 11, line 38, and col. 14, lines 21-65].

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Simmonds does not specifically disclose the location in the real world of the resources. However, Deinhart, in the same field of endeavor, discloses accessing rights of resources (ie. printers) with relationship to their actual physical location [Deinhart, col. 3, lines 5-54 and col. 9, line 51 - col. 10, line 26]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the physical location of the resource, taught by Deinhart, in to the managing system, taught by Simmonds, since Deinhart suggests location specific in managing accessing rights of resources [Deinhart, col. 1, lines 7-17 and col. 3, lines 5-18] similar to the resource managing disclosed by Simmonds [Simmonds, col. 3, line 48 - col. 5, line 36] can be used to better organize the managing system [Deinhart, col. 1, lines 7-17 and col. 3, lines 5-18]. One of ordinary skill in the art would have been motivated to modify Simmonds to include the location specific managing of the resources in view of Deinhart, so that the system becomes easier to manage local and globally.

Therefore, it would have been obvious to combine Simmonds and Deinhart (Simmonds-Deinhart) to obtain the invention as specified in claim 1.

7. Regarding claim 2, claim 2 has similar limitations as claim 1 and additional limitations of a resource installation position managing means for managing the position at which the resource managed by the resource information managing means exists and selecting an arbitrary resource. Therefore, the similar limitations are disclosed under Simmonds-Deinhart for the same reasons set forth in the rejection of claim 1 [Supra 1]. Also, Simmonds-Deinhart further discloses the

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resource installation position managing means for managing the position at which the resource managed by the resource information managing means exists and selecting an arbitrary resource [Simmonds, col. 8, lines 6-37 and col. 10, line 64 - col. 11, line 38] [Deinhart, col. 9, line 51 - col. 10, line 26].

8. Regarding claim 3, claim 3 has similar limitations as claim 1 and additional limitations of a resource information holding means for holding the resource information relating to the resources that can be managed directly and comparing means for comparing the content of the resource information holding means and the content of the resource information managing means of the first computer, detecting a replaceable resource. Therefore, the similar limitations are disclosed under Simmonds-Deinhart for the same reasons set forth in the rejection of claim 1 [Supra 1]. Also, Simmonds-Deinhart further discloses resource information holding means for holding the resource information relating to the resources that can be managed directly and comparing means for comparing the content of the resource information holding means and the content of the resource information managing means of the first computer, detecting a replaceable resource [Simmonds, col. 14, line 46 - col. 14, line 65] [Deinhart, col. 9, lines 20-67].

9. Regarding claim 4, claim 4 has similar limitations as claim 1. Therefore, it is rejected under Simmonds-Deinhart for the same reasons set forth in the rejection of claim 1 [Supra 1].

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10. Regarding claim 5, claim 5 has similar limitations as claim 1 and additional limitations of a resource information holding means for holding the resource information relating to the resources that can be managed directly and comparing means for comparing the content of the resource information holding means and the content of the resource information managing means of the first computer, detecting a replaceable resource. Therefore, the similar limitations are disclosed under Simmonds-Deinhart for the same reasons set forth in the rejection of claim 1 [Supra 1]. Also, Simmonds-Deinhart further discloses resource information holding means for holding the resource information relating to the resources that can be managed directly and comparing means for comparing the content of the resource information holding means and the content of the resource information managing means of the first computer, detecting a replaceable resource [Simmonds, col. 14, line 46 - col. 14, line 65] [Deinhart, col. 9, lines 20-67].

11. Regarding claim 6, claim 6 has similar limitations as claim 1 and additional limitations of a resource updating means for updating the content of the resource information managing means when receiving an updated resource. Therefore, the similar limitations are disclosed under Simmonds-Deinhart for the same reasons set forth in the rejection of claim 1 [Supra 1]. Also, Simmonds-Deinhart further discloses a resource updating means for updating the content of the resource information managing means when receiving an updated resource information [Simmonds, col. 14, line 46 - col. 14, line 65] [Deinhart, col. 9, lines 20-67].

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12. Regarding claims 7-9, claim 7-9 have similar limitations as claim 1. Therefore, they are rejected under Simmonds-Deinhart for the same reasons set forth in the rejection of claim 1 [Supra 1].

13. Regarding claims 10 and 11, claims 10-11 has similar limitations as claim 1 and additional limitations of a resource noticing means for noticing the content of the resource information managing means and updating resource information registering means by receiving the updated resource information from the computer. Therefore, the similar limitations are disclosed under Simmonds-Deinhart for the same reasons set forth in the rejection of claim 1 [Supra 1]. Also, Simmonds-Deinhart further discloses a resource noticing means for noticing the content of the resource information managing means and updating resource information registering means by receiving the updated resource information from the computer.

[Simmonds, col. 5, lines 1-16, col. 6, line 57 - col. 7, line 34, and col. 14, line 46 - col. 14, line 65] [Deinhart, col. 3, lines 5-18 and col. 9, lines 20-67].

14. Regarding claims 16-21, claims 16-21 have similar limitations as claim 1. Therefore, they are rejected under Simmonds-Deinhart for the same reasons set forth in the rejection of claim 1 [Supra 1].

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***Response to Arguments***

15. Applicant's arguments filed 10/29/01 have been fully considered but they are not persuasive. In the remarks, Applicant argued in substance that:

16. (A) Simmonds does not disclose a plurality of connecting means and does not disclose that the connecting means are provided in a network circuit to which the computer is connected.

As to point (A), Simmonds discloses mobile computers that are connected/disconnected (through connecting means) to a network [Simmonds, col. 2, lines 37-48, col. 3, lines 1-52, and col. 6, lines 39-65]. Simmonds discloses that it is well known in the art that computers may be interconnected (connect/disconnect) by wireline or wireless communication links to form a computer network (network circuit) [Simmonds, col. 2, lines 37-48]. During patent examination and prosecution, claims must be given their broadest reasonable interpretation. *In re Van Geuns*, 988 F.2d 1181, 1184, 26 USPQ2d 1057, 1059 (Fed. Cir. 1993); *In re Prater*, 415 F.2d 1393, 1404, 162 USPQ 541, 550 (CCPA 1969).

(B) Deinhart does not disclose assigning a different position in the real world to each resource.

As to point (B), it is noted that the features upon which applicant relies (i.e. assigning a different position in the real world to each resource) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification

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are not read into the claims. *In re Van Guens*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Deinhart does disclose accessing rights of resources (ie. printers) with relationship to their actual physical location [ie. system level in Figure 5, Deinhart, col. 3, lines 5-54 and col. 9, line 51 - col. 10, line 26]. Deinhart discloses that resource sets can be represented by the individual resources on the system level and show the location of the individual printers [Deinhart, col. 9, line 51 - col. 10, line 26].

### ***Conclusion***

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CAR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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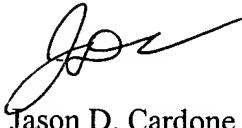
18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason D. Cardone, whose telephone number is (703) 305-8484. The examiner can normally be reached on Monday through Thursday from 9:00am to 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart, can be reached on (703) 305-4815. The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 (After Final Communications)

(703) 746-7239 (Official Communications)

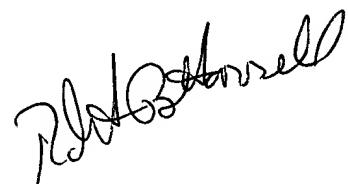
(703) 746-7240 (For Status inquiries, Draft Communications)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist, whose telephone number is (703) 305-3900.



Jason D. Cardone

January 7, 2002



ROBERT B. HARRELL  
PRIMARY EXAMINER